

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 13-003 (JRT/FLN)

Plaintiff,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

DEMARIO KENTRELL BOOKER,

Defendant.

Richard Newberry, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for the plaintiff.

Douglas Olson, Assistant Federal Defender, **OFFICE OF THE FEDERAL DEFENDER**, 300 South Fourth Street, Suite 107, Minneapolis, MN 55415, for the defendant.

This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated April 8, 2013. No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, on all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Defendant's motion to suppress and return medical records [Docket No. 46] is **DENIED**; and

2. Defendant's motion to dismiss the superseding indictment [Docket No. 47]
is **DENIED**.

DATED: April 19, 2013
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge